

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

RUTH SMITH, Individually and as Widow)	
for the Use and Benefit of Herself and the)	
Next of Kin of RICHARD SMITH, Deceased,)	Case #: 3:05-00444
)	Judge Trauger
Plaintiff,)	
)	
-against-)	
)	
PFIZER INC., PARKE-DAVIS,)	
a division of Warner-Lambert Company)	
and Warner-Lambert Company LLC,)	
WARNER-LAMBERT COMPANY,)	
WARNER-LAMBERT COMPANY LLC and)	
JOHN DOE(S) 1-10,)	
)	
Defendants.)	

**DECLARATION OF KENNETH B. FROMSON, ESQ.
IN OPPOSITION TO DEFENDANTS' MOTION *IN LIMINE*
TO EXCLUDE ALL EVIDENCE OF OR REFERENCES
TO CONDUCT UNRELATED TO NEURONTIN**

I, Kenneth B. Fromson, depose and state as follows:

1. I am a partner with the law firm of Finkelstein & Partners, LLP, attorneys for the Plaintiff in this matter.

2. This declaration is submitted in opposition to Defendants' Motion *in Limine* to Exclude All Evidence of or References to Conduct Unrelated to Neurontin.

3. The following documents are attached hereto in opposition to Defendants' motion:

Exhibit A - Settlement Agreement among Pfizer Inc., the United States Department of Justice and certain other government agencies, dated August 2009

Exhibit B - Attachment A to the Settlement Agreement, dated August 2009

Exhibit C - Letter and Acknowledgement re Pharmacia Plea Agreement, dated August 31, 2009

Exhibit D - Pharmacia Criminal Information

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 27, 2010

/s/ **Kenneth B. Fromson**

Kenneth B. Fromson
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Attorneys for Plaintiff Ruth Smith

CERTIFICATE OF SERVICE

I hereby certify that on this the 27th day of April, 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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/s/ Kenneth B. Fromson
Kenneth B. Fromson